

Remarks

Rejections under 35 U.S.C. § 101

Claims 1, 8, 9, 12, 14, 25, 26, 28, 92, 93, 95, 97, and 103-107 stand rejected under 35 U.S.C. § 101 as being drawn to non-statutory subject matter on the ground that they read on a product of nature, e.g., antibodies present in the serum of an infected individual. In order to address this rejection, claims 1, 8, 9, 12, 14, 15, 25-28, 92, 106, and 107 have been amended to indicate that the claimed antibodies are isolated. Support for this amendment is found throughout the specification, e.g., in Example 3, which describes production of certain of the claimed antibodies, and in Examples 4-10, which describe experiments and assays performed using preparations of certain of the claimed antibodies. It is noted that the claimed antibodies may be combined with other agents or materials and may be administered to a subject, which subject may be an individual infected with HCV.

Objections

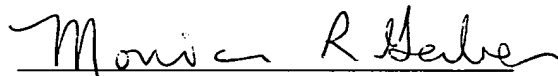
Claims 15-22 and 27 are objected to for depending from a rejected base claim. The base claims have been amended to recite an isolated antibody, thereby rendering them allowable.

In conclusion, in view of the amendments and remarks and presented herein, Applicants respectfully submit that the claimed invention is not anticipated by Persson, et al. Applicants therefore respectfully submit that the present case is in condition for allowance. A Notice to that effect is respectfully requested.

If, at any time, it appears that a phone discussion would be helpful, the undersigned would greatly appreciate the opportunity to discuss such issues at the Examiner's convenience. The undersigned can be contacted at (617) 248-5000 or (617) 248-5071 (direct dial).

Please charge any fees associated with this filing, or apply any credits, to our Deposit Account No. 03-1721.

Respectfully submitted,

A handwritten signature in cursive script, reading "Monica R. Gerber".

Monica R. Gerber
Registration Number 46,724

Date: January 14, 2005

Choate, Hall & Stewart
Exchange Place
53 State Street
Boston, MA 02109
(617) 248-5000